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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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11 E. I. DU PONT DE NEMOURS AND)
12 COMPANY,)
13 Plaintiff,)
14 v.)
15 USA PERFORMANCE TECHNOLOGY,)
16 INC., PERFORMANCE GROUP (USA),)
17 INC., WALTER LIEW, and JOHN LIU,)
Defendants.)

) Case No. 3:11-cv-01665-JSW
JOINT STATUS REPORT AND
[PROPOSED] ORDER EXTENDING
STAY OF ACTION
Judge: Hon. Jeffrey S. White
Hearing Date: None

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19 Pursuant to the Court’s February 25, 2014 Order, Plaintiff E. I. du Pont de Nemours and
20 Company (“DuPont”) and defendants Walter Liew and USA Performance Technology, Inc.
21 (collectively “USAPT”) submit this Joint Status Report. The parties request that the stay in this
22 matter set to expire on March 31, 2014, remain in place for an additional 90 days, through
23 June 30, 2014.

24 On April 6, 2011, DuPont filed the instant suit. (Docket # 1.) Defendants filed their
25 Substituted Answer and Counterclaim on July 11, 2011. (Docket # 35.) The action was first
26 stayed on July 22, 2011. (Docket # 39.)

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1 On August 23, 2011, the United States filed *United States v. Walter Liew and Christina*
2 *Liew*, No. CR-11-0573-RS. On February 7, 2012, the United States filed a superseding
3 indictment in said action. (*Id.* at Docket # 64.) On March 12, 2013, the United States filed a
4 Second Superseding Indictment. (*Id.* at Docket # 269.) On or about January 7, 2014, trial began
5 in the criminal action. On March 5, 2014, the jury returned its verdict, finding Mr. Liew and
6 USAPTI guilty of all counts with which they were charged. (*Id.* at Docket # 804.)

7 Sentencing in the criminal case is scheduled for June 10, 2014, at which time the Court
8 will consider restitution to DuPont. As the Court's disposition of the restitution issue may affect
9 the further course of this case, the parties request that the stay be extended an additional 90 days,
10 to and including June 30, 2014, at which time the parties will report to the Court regarding their
11 proposals for further proceedings.

12 Dated: March 24, 2014

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By /s/ Morgan K. Lopez
Attorneys for Plaintiff

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18 Dated: March 24, 2014

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By /s/ Daniel S. Mount
Attorneys for Defendants USA Performance
Technology, Inc., and Walter Liew

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1 **[PROPOSED] ORDER**

2 Having read and considered the Joint Status Report,

3 **IT IS ORDERED THAT:**

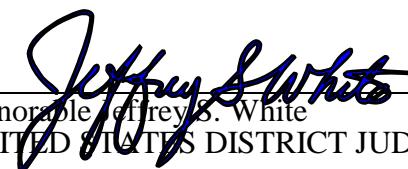
4 The parties' request that the stay be extended until June 30, 2014 is hereby GRANTED.

5 Counsel shall submit a joint status report on or before June 23, 2014.

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7 March 25, 2014

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Honorable Jeffrey S. White
UNITED STATES DISTRICT JUDGE

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